

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF TENNESSEE

---

**MARY PHILLIPA SLEDGE, MARY JANE  
PIDGEON SLEDGE TRUST, and PIDGEON SLEDGE FAMILY  
LIMITED PARTNERSHIP,**

**Plaintiffs,**

**vs.**

**Civ. 2:13-cv-2578**

**INDICO SYSTEM RESOURCES, INC. and,  
CLEAL WATTS, III**

**Defendants.**

---

**MOTION TO QUASH SUBPOENAS ISSUED AND SERVED UPON JP CHASE  
MORGAN, SEA WEST COAST GUARD FEDERAL CREDIT UNION, AND WELLS  
FARGO BANK, N.A., AND IN THE ALTERNATIVE, FOR PROTECTIVE ORDER**

---

COMES NOW the Movants, Michael Byrd (hereinafter also referred to as “Byrd” and/or “Movant”) and Byrd’s Eye Enterprise, Inc. (hereinafter also referred to as “Byrd’s Eye”, “Movant”, or collectively as “Movants”), and in response to the *Subpoena to Produce Documents, Information, or Objects or to Permit Inspection of Premises in a Civil Action* served upon JP Morgan Chase, National Subpoena Processing Center, 7610 W. Washington Street, Indianapolis, Indiana 46231 (hereinafter also referred to as “Chase Subpoena”); *Subpoena to Produce Documents, Information, or Objects or to Permit Inspection of Premises in a Civil Action* served upon Sea West Coast Guard Federal Credit Union (hereinafter also referred to as “Sea West Subpoena”); and *Subpoena to Produce Documents, Information, or Objects or to Permit Inspection of Premises in a Civil Action* served upon Wells Fargo Bank, N.A., Subpoena Processing Department, MAC S3928-020, P.O. Box 29728, Phoenix, Arizona 85038 (hereinafter also referred to as “Wells Fargo Subpoena”), Byrd hereby files the instant Motion to Quash

pursuant to Fed. R. Civ. P. 45(d)(3) due to the Chase Subpoena, Sea West Subpoena, and Wells Fargo Subpoena requesting and seeking information that is privileged and otherwise protected by law, and in the alternative, that is overly broad and irrelevant to the issues raised in Plaintiffs' Complaint. In support, Byrd relies upon the contemporaneously filed Memorandum of Law In Support of Movant's Motion to Quash Subpoenas Issued and Served Upon JP Chase Morgan, Sea West Coast Guard Federal Credit Union, and Wells Fargo Bank, N.A.

As set forth more particularly in the supporting Memorandum of Law, Plaintiffs seek Byrd's financial information that is protected and Plaintiffs' subpoenas also seek overly broad and irrelevant information. Therefore, the Chase Subpoena, the Wells Fargo Subpoena, and the Sea West Subpoena should be quashed. In the alternative, Movants aver they are entitled to a protective order such that any information released pursuant to the three subpoenas be held confidential by the parties to this cause of action; that the subpoenas be limited to information directly linked to and/or associated with Defendants; and that upon the final disposition of this cause, all information received by any parties pursuant to the subpoenas at issue be destroyed.

**WHEREFORE, PREMISES CONSIDERED**, Movants pray that this Honorable Court grant the instant Motion to Quash and quash the Chase Subpoena, Wells Fargo Subpoena and Sea West Subpoena. In the alternative, that the Court issue a protective order that limits the information to be released by each bank to such information that links and/or is connected with Defendants, that any information released pursuant to any of the subpoenas be confidential in nature such that neither party may disseminate or otherwise use such information for any purpose except as related to this litigation, and that such information be destroyed by all parties upon the final disposition of this cause. Movants further seek such other and further relief as Movants may be entitled under the facts and circumstances of this cause.

Respectfully submitted,

McDONALD KUHN, PLLC

/s/Joseph B. Baker

Loys A. "Trey" Jordan, III (16766)

Joseph B. Baker (28046)

5400 Poplar Avenue, Suite 330

Memphis, Tennessee 38119

(901) 526-0606

*Attorneys for Movants*

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing pleading has been served on the following, via US Mail First Class, postage pre-paid, and via electronic mail, on this the 2<sup>nd</sup> day of July, 2015:

Darrell N. Phillips, Esq. (dphillips@pcplc.com)  
Anthony C. Piertrangelo (apietrangelo@pcplc.com)  
John J. Cook (jcook@pcplc.com)  
Pietrangelo Cook PLC  
6410 Poplar Avenue, Suite 190  
Memphis, Tennessee 38119

Randall J. Fishman, Esq. (ecfcivil@bbfpc.com)  
Richard S. Townley, Esq. (ecfcivil@bbfpc.com)  
200 Jefferson Avenue, Suite 1250  
Memphis, Tennessee

/s/Joseph B. Baker

Loys A. "Trey" Jordan, III

Joseph B. Baker